

(Counsel listed on following page)

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FERNANDO DE SAUSA and JESSICA  
SHUM on behalf of themselves, in the interest  
of the general public and as a Private Attorney  
General,

Plaintiffs,

vs.

HSBC BANK U.S.A., N.A.; HSBC USA,  
INC.; and HSBC NORTH AMERICA  
HOLDINGS, INC.,

Defendants.

CASE NO. CV12-05081

**STIPULATION AND ~~PROPOSED~~  
ORDER TO CONTINUE THE INITIAL  
CASE MANAGEMENT CONFERENCE  
HEARING PENDING PRIVATE  
MEDIATION**

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Attorneys for Defendants  
HSBC BANK U.S.A., N.A., HSBC USA, INC., and HSBC  
NORTH AMERICA HOLDINGS, INC.

1 The parties to this litigation, by and through their respective attorneys of record, hereby  
2 submit this stipulation and [proposed] order to continue the Initial Case Management Conference  
3 currently scheduled to be held on August 26, 2013, at 1:30 p.m., to a date to be scheduled at the  
4 Court's convenience no earlier than December 2, 2013 for the reasons set forth below.

5 WHEREAS, the Initial Case Management Conference in this action currently is scheduled  
6 for August 26, 2013, at 1:30 p.m.;

7 WHEREAS, the parties have agreed to pursue settlement discussions through private  
8 mediation, which is anticipated to be held in October 2013. The parties intend to engage in an  
9 informal exchange of confidential documents and data prior to mediation for purposes of  
10 facilitating settlement negotiations;

11 WHEREAS, the parties wish to exhaust attempts to mediate the case before addressing  
12 fact and expert discovery cut offs and a trial date and, as such, wish to postpone the initial Case  
13 Management Conference until after the mediation session.

14 Accordingly, the parties to this matter, by and through their respective attorneys of  
15 record, hereby stipulate to and jointly request that the Court continue for ninety (90) days , the  
16 Initial Case Management Conference be continued to December 2, 2013, at 1:30 p.m. or such  
17 other date as is convenient for the Court.

18 SO STIPULATED.  
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1 DATED: August 19, 2013

TOMAS E. MARGAIN  
CASA LEGAL

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3 By: /s/ Tomas E. Margain

TOMAS E. MARGAIN

4 Attorneys for Plaintiffs  
FERNANDO DE SAUSA and JESSICA SHUM

5  
6 DATED: August 16, 2013

E. JEFFREY GRUBE  
PAUL HASTINGS LLP

7 By: /s/ E. JEFFREY GRUBE

E. JEFFREY GRUBE

8 Attorneys for Defendants  
9 HSBC BANK U.S.A., N.A., HSBC USA, INC., and  
10 HSBC NORTH AMERICA HOLDINGS, INC.  
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**[Proposed] Order**

Good cause appearing, the initial Case Management conference scheduled for August 26, 2013 shall be continued to December 2, 2013, at 1:30 p.m. The Initial Case Management Conference Statement shall be filed on or before November 25, 2013.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: 08/19/2013

